

DEPARTMENT OF SOCIAL SERVICES

744 P Street, Sacramento, CA 95814



September 3, 1991

ALL COUNTY INFORMATION NOTICE: I-72-91

TO: ALL COUNTY WELFARE DIRECTORS

SUBJECT: TREATMENT OF AGENT ORANGE PAYMENTS IN THE FOOD
STAMP PROGRAM

REFERENCE: ACL 90-25, dated February 27, 1990

This notice is to provide clarifying information regarding the treatment of the two types of Agent Orange payments received by some Vietnam veterans in the Food Stamp Program.

Agent Orange Compensation Exclusion Act, Public Law (P.L.) 101-201 (12/6/89).

P.L. 101-201 provides that all payments from the Agent Orange Settlement Fund or any other fund established pursuant to the settlement in the Agent Orange product liability litigation are excluded from income and resources. These payments are disbursed by the AETNA Insurance Company's Agent Orange Payment Program (AOPP). Disabled veterans will receive yearly payments; survivors of deceased disabled veterans receive a lump sum payment. These payments shall be excluded as income and resources in accordance with M.S. 63-501.3(k)(15) and M.S. 63-502.2(1)(3).

The AOPP checks may be distinguished from other AETNA Insurance Company checks by two or more of the following identifiers:

- The body of the check is light blue. A clerical draft (a check that did not go through the regular processing functions) is gray.
- White upper and lower borders.
- The words "Agent Orange Payment Program" computer-printed at the top of the check.
- The digits "37000" printed in the upper white border. (37000 is an accounting number for AOPP.)
- The digits "654000" (which indicate the payment is for the AOPP) listed in the control box area of the check.
- All AOPP checks are drawn on the Connecticut National Bank.


The Agent Orange Act of 1991, P.L. 102-4 (2/6/91)

This law entitles Vietnam veterans with service-connected disabilities due to Agent Orange exposure to veteran's benefits. These payments are issued by the U.S. Treasury and are not excluded from income or resource consideration.

Most eligible veterans will receive a lump-sum payment for retroactive benefits, then regular monthly payments. The lump-sum payment is excluded from consideration as income, but counted as a resource in the month received (M.S. 63-502.2(j) and 63-501.111). The regular monthly payments are considered unearned income (M.S. 63-502.142).

The manner in which Agent Orange payments are treated in the AFDC program is addressed in new regulations which became effective on August 1, 1991 and in ACL NO. 90-46 dated June 11, 1990.

If you have any questions regarding the treatment of Agent Orange payments, please contact Mary Clark of the Welfare Policy Implementation Bureau at (916) 324-2015.



ROBERT A. MOREL
Deputy Director